



Level 4&5 Duke Place,
Duke Street, Port-of-Spain.

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OSHA/Comp ;(5)3/3/39

March 23, 2016

Mr. Fitzroy Harewood
President
Petroleum Company of Trinidad and Tobago (Petrotrin)
Administration Building,
Pointe a Pierre.

Dear Sir,

PROHIBITION NOTICE ISSUED PURSUANT TO SECTION 74(1) OF THE OCCUPATIONAL SAFETY AND HEALTH ACT, CHAPTER 88:08 (“THE OSH ACT”)

I, Mr. Jason Loorkhoor, being an Inspector appointed by an instrument in writing made pursuant to **section 71(1)** of the OSH Act and entitled to issue this Notice pursuant to **section 74(1)** of the said Act, hereby give you notice that I am of the opinion that at Petrotrin’s Los Bajos Tank Farm, where **you** are the Employer, hydrocarbons are being stored in storage tank # 3 in a condition contrary to **section 74 (1) (a)** of the Act.

The reasons for my said opinion are that the following observations were made during a routine inspection of the said Tank Farm on March 22, 2016.

Section 74(1) (a)

1. Crude oil was stored in a floating roof (tank# 3) of 35, 000 barrels capacity which was in such a condition that access and egress to and from the roof of this tank utilizing the stairway can result in serious bodily injuries to persons.
2. The gauging platform at the top of the tank roof where gauging activities were being conducted was badly corroded such that its load bearing capacity may become severely undermined when Gaugers were on the platform conducting their activities.

3. Sections of the shell of the tank were corroded to the extent that the primary containment capabilities can be breached; thereby increasing the risk of fugitive emission of stored hydrocarbons.
4. Inspection of this Tank (# 3) conducted by Inspectors' of the OSH Agency, in the presence of Petrotrin Officials, revealed the following:
 - a. The stairway to the tank's roof was severely corroded and unstable
 - b. There were heavy corrosion at the base of the tank
 - c. There was severe corrosion on the top section of the shell of the tank such that numerous holes had developed
 - d. There were severely corroded fittings on the tank. (e.g. pipes, nuts and bolts assemblies and flanges)
 - e. There was no closing device installed on the top of the gauging platform to prevent gaugers from inadvertently falling off the platform during gauging activities.

Such conditions may result in breach of containment, serious bodily injuries and/ or death.

5. A report on the external inspection of this tank conducted on November 2012 by Petrotrin's Inspection's Department stated the following:
 - ***Unsafe to enter unto the floating roof for close inspection***
 - ***Severe corrosion at the shell bottom course unto floor annular plate.***
 - ***Recommended that the tank to be taken out of service by I&C***
6. The asset owner's remarks following the last external inspection conducted were as follows;
 - ***Roof, seal and walkways defective***
 - ***To replace tank #3 with tank #7 by March 2016***
7. There was no record of any internal examination conducted for this tank in accordance with an approved standard (e.g. API 653). Failure to address this may result in breach of containment and to consequently cause hydrocarbons to escape into the environment.

Therefore, I am of the opinion that conditions exist, which is likely to cause serious bodily injuries to persons utilizing the stairway and conducting gauging activities on the tank. Additionally, the tank was severely corroded to the extent that a breach of containment was likely and this can consequently cause flammable hydrocarbons to escape and cause environmental damage and possible ignition or explosion; which can result in injury or death to personnel. These conditions were contrary to the requirements of sections 6(2)(a) and 6(2)(e) of the Occupational Safety and Health Chapter 88:08.

Given the aforementioned circumstances, I hereby prohibit the use of this tank to store hydrocarbons (after it has been emptied of its current inventory) until the existing dangers are removed and you have complied with the OSH Act. In this regard it is expected that the emptying of the tank of its current product will be expedited.

I also hereby affix a copy of this Notice at the entrance to the facility, which **shall not be removed** without the Authority of a Safety and Health Inspector in accordance with; *Section 74(6) of the OSH Act which states ... "Any Person who without lawful Authority removes or defaces this posted Notice is guilty of an offence and shall be subject to the jurisdiction of the Court in accordance with the Jurisdiction of the Court in accordance with the Supreme Court of Judicature Act."*

Should you take the necessary steps to remove the existing danger and comply with the OSH Act please contact me at **299-6819** so that I can conduct a follow-up inspection. Once satisfied that this Notice has been complied with, I shall so certify in writing and shall remove this Prohibition Notice.

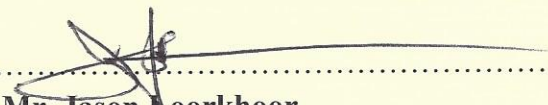
Please be advised that failure to comply with this Prohibition Notice is a safety and health offence under **Section 83(1)** of the OSH Act and you will be subject to the jurisdiction of the Industrial Court of Trinidad and Tobago and liable upon conviction to a fine of \$20,000.00

Please note you may object to this Prohibition Notice by way of a written complaint to the Industrial Court of Trinidad and Tobago within seven (7) days from the date of service of this notice (**Section 74 (4) of the OSH Act**).

The issuance of this notice does not relieve you of any legal liability for failing to comply with any statutory provisions referred to in the Notice or to perform any other statutory or common law duty resting on you.

Please be guided accordingly.

**OCCUPATIONAL SAFETY
AND HEALTH AUTHORITY AND AGENCY**


.....
Mr. Jason Loorkhoor
Safety and Health Inspector -I

Received by (Signature).....Patrick Julien

Received by (Block Letters).....PATRICK JULIEN

Job Title.....HEAD HSE LNE

Date & Time.....16-03-24 9.35am